

osmotic pressure. This may reduce epithelial cell swelling and thus help prevent necrosis in the area.

Turning now to the art rejection of record, claims 1-9 were rejected under 35 U.S.C. § 103(a) over Bonfield et al. (U.S. Patent No. 5,728,753) in view of Shimono et al. (U.S. Patent No. 5,766,611). For all of the following reasons, the rejection is respectfully traversed.

Bonfield describes a solid implant material that contains bioactive glass plus a non-resorbable polymer for repair bone or soft tissue defects. The bioactive glass is described as improving the mechanical properties of the device over the polymer alone, and imparts a surface reactive layer that allows for the bonding of the device to the bone or soft tissue. Shimono teaches including silver ions into a resorbable glass such that the ions are released at a very specific rate to allow the compound to be anti-microbial in nature so that it can be used specifically as a preservative in cosmetic formulations (anti-mold, anti-bacterial without causing irritation of the skin).

The present invention describes the use of small bioactive glass particles that have been found to impart an anti-inflammatory property when applied to various conditions. Nowhere in the Bonfield patent is there any suggestion that the small particles described in claim 1 will have any anti-inflammatory properties. The Bonfield patent teaches that the particles, when incorporated (in certain percentages) into a polymer composite can be made to react so as to form a bioactive layer on the surface of the device. It is this layer that allows the bonding to bone. The main teaching is that the bioactivity can be maintained while improving the mechanical properties of the composite. However, there is no suggestion of any anti-inflammatory properties, or any treatment of skin conditions in the Bonfield patent.

Serial No. 009/012,272

In view of the above, the Examiner is respectfully requested to withdraw the sole art rejection of record. Applicants believe they have responded to all matters raised in the above referenced Office Action and that the application is now in condition for allowance. If the Examiner has any questions concerning this Application or this Reply and Amendment, he is invited to contact the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By Allen R. Baum
Allen R. Baum
Registration No. 36,086

699 Prince Street
Alexandria, Virginia 22313
(919) 941-9240

Dated: 8/2/00

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 8/2/00
Date

Donnie S. Dietrich
(Typed or printed name of person signing the certificate)

Donnie S. Dietrich
(Signature of person signing the certificate)

August 2, 2000
(Date of Signature)